

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

U.S. Serial No.: 10/828,797
Filing Date: 04/21/2004
Applicants: Herbert M. Dean et al.
Title: CARDIOPROTECTIVE DOSAGE UNITS
Atty. Dkt. No.: dean0404con
Art Unit: 1614
Examiner: Donna A. Jagoe

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In compliance with the provisions of 37 C.F.R. §1.56 and 37 C.F.R. §§1.97-1.99, the Applicant is hereby making of record the enclosed articles and U.S. patents listed on the attached copy of Form PTO/SB/08a. The paragraph(s) marked below are applicable to this Information Disclosure Statement.

- [] (1) The enclosed Information Disclosure Statement is being filed within three months of the filing date or within three months of the entry of the national stage of the above identified application. Accordingly, applicant(s) believe that no fee or certification is required.
- [] (2) Applicant(s) believe the enclosed Information Disclosure Statement is entitled to the benefit of 37 CFR §1.97(b)(3). Accordingly, applicant(s) believe that no fee or certification is required.

PETITION UNDER 37 CFR §1.97(c)

- [] (3) Pursuant to 37 CFR §1.97(c), applicant(s) hereby petition the Commissioner to consider the attached Information Disclosure Statement. Applicant(s) state that this Information Disclosure Statement is being filed before the mailing date of any

of a final action under 37 CFR §1.113, a notice of allowance under 37 CFR §1.113, or an action that otherwise closes prosecution in the application and that a certification under 37 CFR §1.97(e) is provided herein or the petition fee of \$130.00 required under 37 CFR §1.17(p).

PETITION UNDER 37 CFR §1.97(d)

- ☒ (4) Pursuant to 37 CFR §1.97(d), applicant(s) hereby petition the Commissioner to consider the attached Information Disclosure Statement. Applicant(s) state that the issue fee has not been paid and that a certification under 37 CFR §1.97(e) is provided herein, along with the petition fee of \$180.00 required under 37 CFR §1.17(p).

CERTIFICATION UNDER 37 CFR §1.97(e)(1)

- ☐ (5) The undersigned hereby certifies that each item of information contained in the attached Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application mailed not more than three months prior to the filing of this statement.

CERTIFICATION UNDER 37 CFR §1.97(e)(2)

- ☒ (6) The undersigned hereby certifies that no item of information contained in the attached Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, after making reasonable inquiry, was known to any individual having a duty of disclosure as set forth in 37 CFR §1.56(c) more than three months prior to the filing of this statement.

The filing of this Information Disclosure Statement is not a representation by the undersigned as to personal knowledge of the contents of every word or phrase of the

material enclosed or that reliance on other suitably trained professionals has not been made.

If a search report of a searching agency is enclosed identifying the nature of the relevance of each document, such a designation is deemed to satisfy Rule 98(a)(3) even if in a foreign language, since the few terms of relevance therein are deemed of universal cognizance. However, applicant does not necessarily adopt the position reflected by that report.

Respectfully submitted,



Date: 6/21/07

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Certificate of Transmission

I hereby certify that this correspondence is being electronically transmitted to the United States Patent and Trademark Office by way of EFS Web on June 21, 2007.

Robert R. Deleault
